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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/664,867

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Jean-Michel Lauriol

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EXAMINER

DOAN, PHUOC HUU

ART UNIT

PAPER NUMBER

2687

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/664,867	Applicant(s) LAURIOL, JEAN-MICHEL	
	Examiner PHUOC H. DOAN	Art Unit 2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-6, and 8-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, and 8-15 are rejected under 35 U.S.C. 102(e) as being anticipated by **Gunnarsson (US Pub No: 2003/0118015)**.

As to claim 1, Gunnarsson discloses method for informing a person that he or she can access to a WLAN (Fig. 1, par. [0014]), said person carrying or being associated with a mobile data terminal “**Fig. 3, item 70**” and a radiotelephone terminal “**Fig. 3, item 60**”, the method comprising: detecting presence of the WLAN (col. 3, par. [0022]), by receiving signals broadcasted by the WLAN (col. 2, par. [0020] “may comprise a message **broadcast to all mobile terminals** in the relevant cell 12 or sector”), with a radio receiver associated with said mobile data

terminal and which is adapted to receive signals broadcasted by the WLAN (col. 3, par. [0022-0023]), and, when the radio signals broadcasted by the WLAN received “col. 3, par. [0023]”, sending a signal or a message (col. 3, par. [0023]), from said mobile data terminal (col. 3, par. [0023]) said radiotelephone terminal equipped with an adapted receiver (col. 3, par. [0023]), informing said person that he or she can access to said WLAN (col. 3, par. [0024]).

As to claim 2, Gunnarsson further discloses method according to claim 1, wherein said mobile data terminal is switched a mode in which it scans periodically (See abstract), at least one given frequency or within a given frequency range (col. 3, par. [0023]), for the existence of a signal from a WLAN (col. 4, par. [0028]).

As to claim 3, Gunnarsson further discloses wherein the scanning for an available WLAN is based on detection of a or the network identifier broadcasted by the or a WLAN to which the concerned person has subscribed (col. 3, par. [0022], and [0024]).

As to claim 4, Gunnarsson further disclose wherein a successful detection of a WLAN to which the person has subscribed is also notified directly by the mobile data terminal (col. 4, par. [0028]), by means of an audio signal and/or a visual message displayed on its screen (col. 4, par. [0026], **to access the user's email**).

As to claim 5, Gunnarsson further discloses method according to claims 1, wherein the mobile data terminal and the radiotelephone terminal are equipped with wireless personal area network interfaces (col. 1, par. [0006]).

As to claim 6, the claim specifies the portable communication system necessary to perform the method steps as specified in **claim 1** and is therefore rejected for the same reasons.

As to claim 8, Gunnarsson discloses a communication system for informing a user about Wireless Local Access Network (WLAN) availability, the system comprising: at least one access point “**col. 2, par. [0019] which serves as an access point to the Internet 40**” of the WLAN broadcasting radio signals (col. 2, par. [0020]); a mobile data terminal detecting presence of the WLAN by identifying the radio signals broadcasted by the WLAN and upon user request (col. 2 through col. 3, par. [0020-0021]), accessing internet via the detected WLAN (col. 4, par. [0026]); and a radio telephone terminal receiving a notification from said mobile data terminal when the WLAN is detected (col. 4, par. [0027-0028]).

As to claim 9, Gunnarsson further discloses in col. 3, par. [0023] a wireless interface, such as a radio interface (e.g., BLUETOOTH or infrared interface).

As to claim 10, Gunnarsson further discloses in col. 2, par. [0019].

As to claim 11, Gunnarsson further discloses in Fig. 4, col. 4, par. [0024].

As to claim 12, Gunnarsson further discloses in Fig. 4, col. 4, par. [0024] **the mobile terminal 60 is integrated with the wireless computing device 70 to form an integrated mobile unit.**

As to claim 13, Gunnarsson further discloses in col. 3, par. [0022] **SMS is a real time message.**

As to claim 14, Gunnarsson further discloses in col. 4, par. [0028].

As to claim 15, Gunnarsson further disclose in col. 2, par. [0014].

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUOC H. DOAN whose telephone number is 571-272-7920. The examiner can normally be reached on 9:30 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LESTER G. KINCAID can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Phuoc Doan
11/11/05



SONNY TRINH
PRIMARY EXAMINER